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STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

IN RE:

PATRICIA L. FORREST, L.P.N.
3 Velvet Lane
Mystic, Connecticut 06355

MEMORANDUM OF DECISION

The Board of Examiners for Nursing was presented by the Department of Health Services with a Notice of Hearing and Statement of Charges dated April 2, 1982.

The Statement of Charges alleged violations of Conn. Gen. Stat. § 20-99(b). The Notice of Hearing provided that the hearing would take place on April 22, 1982, in the Department of Health Services, 79 Elm Street, Hartford, Connecticut. A hearing was in fact held at the above-referenced time and place.

Each member of the Board of Examiners for Nursing involved in this decision attests that he/she has reviewed the record, and that this decision is based entirely on the record.

FACT

1. Patricia L. Forrest, L.P.N., respondent, was at all pertinent times licensed to practice nursing as a licensed practical nurse in Connecticut, with registration number E-09499.

2. Pursuant to Conn. Gen. Stat. § 4-182(c), the respondent was provided a full opportunity prior to the institution of agency action to show compliance with all the terms for the retention of her license.

3. While employed as a licensed practical nurse at Lawrence and Memorial Hospitals, New London, Connecticut, the respondent, for a period of some twelve months beginning on or about November 23, 1980 and continuing until on or about November 23, 1981: a) unlawfully diverted controlled substances, namely Percodan and Percocet, to her own use; and b) unlawfully failed to keep proper hospital and/or patient records concerning controlled substances, namely Percodan and Percocet, administered, dispersed or otherwise disposed of by her.

4. The activities referenced in paragraph 3 above were discovered by Drug Control Agent Stanley J. Kornacki during an investigation conducted during October and November, 1981.

DISCUSSION

FIRST COUNT

5. The First Count alleges that the respondent violated the provisions of Conn. Gen. Stat. § 20-99(b) by unlawfully diverting controlled substances, namely Percodan and Percocet, to her own use while she was employed as a licensed practical nurse at Lawrence and Memorial Hospitals, New London, Connecticut. In pertinent part, § 20-99(b) forbids:

(2) illegal conduct, incompetence or negligence in carrying out usual nursing functions...

(5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals...

The inescapable conclusion to draw from the facts found by the Board is that the respondent has violated Conn. Gen. Stat. § 20-99(b) as specified in the First Count.

SECOND COUNT

6. The Second Count alleges that the respondent violated Conn. Gen. Stat. § 20-99(b) by unlawfully failing to keep proper hospital and/or patient records concerning controlled substances, namely Percodan and Percocet, administered, dispersed or otherwise disposed of by her while employed as a licensed practical nurse at Lawrence and Memorial Hospitals, New London, Connecticut. In pertinent part, § 20-99(b) forbids: "[c]onduct which fails to conform to the accepted standards of the nursing profession."

The inescapable conclusion to draw from the facts found by the Board is that the respondent has violated Conn. Gen. Stat. § 20-99(b) as specified in the Second Count.

ORDER

7. It is the unanimous decision of the Board of Examiners for Nursing that:

a. The license of the respondent be suspended for a minimum period of two years commencing August 15, 1982. which period is more particularly broken down as follows:

i. As to the First Count, suspension for a period of eighteen (18) months.

ii. As to the Second Count, suspension for a period of six (6) months.

iii. The periods of suspension listed in (i) and (ii) will run consecutively for a total effective suspension of two (2) years, commencing August 15, 1982.

b. At the end of the two-year period specified in (a) the respondent may submit supportive documentation that she is not emotionally or physically addicted to the medications and may thereafter be reinstated.

8. The respondent, Patricia L. Forrest, L.P.N., is hereby directed to surrender her license and current registration to the Board of Examiners for Nursing, 79 Elm Street, Hartford, Connecticut 06115 by August 15, 1982.

9. The Board of Examiners for Nursing herewith advises the Department of Health Services of the State of Connecticut of this decision and directs that the registration license of Patricia L. Forrest, L.P.N., be suspended in accordance herewith.

Dated at Hartford, Connecticut, this *21st* day of *July*, 1982.

BOARD OF EXAMINERS FOR NURSING

BY: *Bette Jane M. Murphy, R.N.*
BETTE JANE MURPHY, R.N.
Chairman